

**IN THE UNITED STATES DISTRICT COURT
THE MIDDLE DISTRICT OF TENNESSEE
COOKEVILLE DIVISION**

Dail Desilva,)
) Case No. 3:11-cv-1059
Plaintiff,)
) Judge Campbell
v.) Magistrate Judge Knowles
)
American Credit & Collections, LLC,)
)
Defendant.)

ENTRY OF DEFAULT

Plaintiff has filed an "Application For Entry of Default Judgment" against Defendant (Docket Entry No. 9). The Clerk will construe this as a request to enter default pursuant to Federal Rule of Civil Procedure 55(a). The grant of a default judgment is a two part process and no default judgment may be granted pursuant to FRCP 55(b) until default has been entered pursuant to FRCP 55(a). Ramada Franchise Systems, Inc. v. Baroda Enterprises, LLC 220 F.R.D. 303 (N.D. Ohio 2004).

Service has been obtained on Defendant and more than 21 days have passed. No answer or other responsive filing has been made by Defendant and the entry of default is now appropriate.

Accordingly, default is hereby entered against Defendant American Credit & Collections, LLC. Plaintiff may now proceed under Federal Rule of Civil Procedure 55(b)(1) or (2) depending upon the relief sought and file a motion seeking a default judgment.

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court